

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 202 - SB 1023

March 7, 2013

SUMMARY OF BILL: Defines “electronic citation” to be the process of transmitting a traffic citation, misdemeanor citation, municipal ordinance violation, or other citation and law enforcement data via electronic means to a general sessions court. Authorizes, for the purpose of defraying costs associated with the establishment and maintenance of an electronic citation program, general sessions court clerks to charge and collect an electronic citation fee up to \$5.00 from any defendant issued a citation upon a guilty plea, judgment of guilty, or grant of supervision. Requires an electronic citation fund to be established and maintained by the general sessions court clerk prior to charging or collecting any electronic fee. Requires sixty percent of the fee (or \$3.00) to be deposited into the fund, and the remaining forty percent (or \$2.00) to be disbursed to the arresting agency.

ESTIMATED FISCAL IMPACT:

Increase State Revenue – Exceeds \$40,000

Increase Local Revenue – Exceeds \$310,000


Assumptions:

- The bill is permissive to local government as it does not require any entity to develop or establish an electronic citation system.
- The Department of Safety (DOS) utilizes the Tennessee Integrated Traffic Analysis Network (TITAN) electronic citation program.
- According to DOS, there are approximately 200,000 citations issued by the state annually.
- DOS indicates a conviction rate of approximately 40 percent.
- At least 25 percent of court clerks utilize an electronic citation system for DOS-issued citations and will charge a fee for such citations.
- A minimum of 20,000 citations issued by DOS ($200,000 \times 40\% \times 25\%$) will be charged the \$5.00 fee.
- A recurring increase in state revenue estimated to exceed \$40,000 ($20,000 \times \2.00).
- A recurring increase in local revenue to the electronic citation fund estimated to exceed \$60,000 ($20,000 \times \3.00) as a result of DOS-issued citations.
- The precise number of local government-issued citations that this fee will apply to cannot be specifically determined, but the number is reasonably estimated to exceed 50,000 per year statewide.

- A recurring increase in local revenue to the electronic citation fund estimated to exceed \$150,000 (50,000 x \$3.00).
- A recurring increase in local revenue to local law enforcement agencies estimated to exceed \$100,000 (50,000 x \$2.00).
- The total recurring increase in local revenue is estimated to exceed \$310,000 (\$60,000 + \$150,000 + \$100,000).

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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